

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

ELMER TEJADA-PORTILLO

v.

05-10017MLW

CRIMINAL ACTION

Count One:

8 U.S.C. § 1326(a)

(Illegal Re-entry of
Deported Alien)

INDICTMENT

COUNT ONE: 8 U.S.C. § 1326 -- Illegal Re-entry of Deported Alien

The Grand Jury charges that:

On or about January 3, 2005, at Boston, in the District of
Massachusetts,

ELMER TEJADA-PORTILLO

the defendant herein, being an alien and having been excluded,
deported and removed from the United States, was found in the
United States without having received the express consent of the
United States Attorney General prior to March 1, 2003, or the
express consent of the Secretary of the Department of Homeland
Security since that date, to reapply for admission to the United
States.

All in violation of Title 8, United States Code, Section 1326(a)(1) and (b)(3) and Title 6, United States Code, Section 202(3) and (4) and Section 557.

A TRUE BILL

Seán Burke
FOREPERSON OF THE GRAND JURY

Madeline Peilegrini
MADINE PEILEGRINI
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS

January 26, 2005

Returned into the District Court by the Grand Jurors and filed.

Don B. Roland
Deputy Clerk
12:37 PM

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency ICE _____City Boston**Related Case Information:**County Suffolk

Superseding Ind./ Inf. _____ Case No. _____

Same Defendant _____ New Defendant _____

Magistrate Judge Case Number _____

Search Warrant Case Number _____

R 20/R 40 from District of _____

Defendant Information:Defendant Name Elmer TEJEDA-Pontillo Juvenile Yes No

Alias Name _____

Address _____

Birth date (Year only): 1980 SSN (last 4 #): _____ Sex M Race: H Nationality: El Salvador

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA Nadine Pellegrini Bar Number if applicable _____Interpreter: Yes No List language and/or dialect: SpanishMatter to be SEALED: Yes No Warrant Requested Regular Process In Custody**Location Status:**

Arrest Date: _____

 Already in Federal Custody as _____ in _____. Already in State Custody _____ Serving Sentence Awaiting Trial On Pretrial Release: Ordered by _____ on _____Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony 1 _____

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 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 1/26/05Signature of AUSA: Nadine Pellegrini

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Elmer TEJADA-PORTILLO

U.S.C. Citations

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>8 USC 1326(a)</u>	<u>Illegal Re-entny</u>	<u>1</u>
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

ADDITIONAL INFORMATION: